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TO: Derek Rich
FIRM: USPTO/ Office of Patent Publication
FAX #: (703) 308-5065

FROM: Kathleen Schlosbon

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MESSAGE:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Paolo CAPPELLETTI et al.

Serial No.: 10/606,164

For: *ELECTRICALLY ERASABLE AND PROGRAMMABLE
NON-VOLATILE MEMORY CELL*

Enclosed are the following:

Petition to Withdraw the Holding of Abandonment (2 pgs.); Exhibit A (2 pgs.); and
Exhibit B (1 pg.)

Docket No.: 01-AG-325/RR

220-P0015

August 24, 2004

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PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of : Docket No. 01-AG-325/RR
Paolo CAPPELLETTI et al. : Group Art Unit: 2826
Serial No.: 10/606,164 : Examiner: Kevin V. Quinto
Filed: June 25, 2003 :
Title: *ELECTRICALLY ERASABLE AND PROGRAMMABLE
NON-VOLATILE MEMORY CELL*

**PETITION UNDER 37 C.F.R. §1.181 (a) TO WITHDRAW
THE HOLDING OF ABANDONMENT**

VIA FACSIMILE (703) 308-5065

Attn: Office of Patent Publication
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR §1.181 (a), the applicants respectfully petition the Commissioner for withdrawal of the holding of Notice of Abandonment dated August 10, 2004 (see Exhibit A). The Notice of Abandonment states "*Applicant's Failure to Timely Pay the Required Issue Fee and Publication Fee...*" because "*The Submitted Fee of \$1465 is insufficient. A balance of \$165 is due.*"

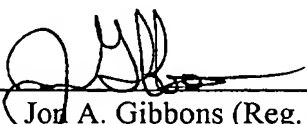
In review of our June Deposit Account Statement for Deposit Account No. 50-1556, it appears that we had sufficient funds when our account was being charged for the issue fee and publication fee on June 22, 2004 (see Exhibit B). After charging us \$300.00 for the publication fee and \$30.00 for the printed copies, there remained a balance of \$7,148.00. Therefore, there were sufficient funds to charge the total issue fee amount of \$1,330.00. In fact, as shown in Exhibit B, there was \$5,983.00 available in our Deposit Account.

This is a non-fee petition, but if it should be determined that a fee is required, please charge to Deposit Account No. 50-1556.

In the alternative, in the highly unlikely event that this non-fee petition is not granted, the Applicants respectfully request the payment of the required issue fee and publication fee from the Deposit Account 50-1556 under 35 USC §41(a)(7) and MPEP 711.03(c) as unintentionally delayed due to Applicants detrimental reliance on the USPTO's monthly deposit account statement indicating sufficient funds.

Respectfully submitted,

Date: 8/24/04

By: 
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Name

Kathleen Schlosberg
Signature

8/24/04
Date